



STATE OF CONNECTICUT • COUNTY OF TOLLAND
INCORPORATED 1786

TOWN OF ELLINGTON

55 MAIN STREET • P.O. BOX 187
ELLINGTON, CONNECTICUT 06029-0187

DENNIS C. MILANOVICH
First Selectman

TEL 870-3100 FAX 870-3102

www.ellington-ct.gov

DENNIS W. FRAWLEY
Deputy First Selectman

PETER J. CHARTER
MARK D. LEIGHTON
A. LEO MILLER, JR.
MICHAEL P. STUPINSKI
NANCY O. WAY

BOARD OF SELECTMEN
September 19, 2005
Meeting Hall – Town Hall

MINUTES

SELECTMEN PRESENT: Peter Charter, Dennis Frawley, Mark Leighton, Dennis Milanovich, A. Leo Miller, Michael Stupinski and Nancy Way

OTHERS PRESENT: North Central Agency on Aging: K. Nolan; Human Services Director: D. Crayton; Elderly Outreach Coordinator: A. Turner; Finance Officer: N. DiCorleto; Public Works Director: P. Michaud; Northern CT Land Trust: J. Gage; EVFD Chief: M. Varney; Cultural Arts Commission Members: P. Recker, P. Amodio; 911 Municipal Coordinator: J. Turner; JI Reporter: M. Simpson; Residents: A. Macione, T. Dombek, B. Butler, J. Close

Prior to the Public Hearing, Kristen Nolan, North Central Agency on Aging, presented a certificate to Anna Turner, designating the Town of Ellington Human Services as a Community Focal Point for Aging Services. The goal of the Focal Point initiative is to facilitate the delivery of coordinated, comprehensive and accessible aging services and Ellington Human Services meets the standards necessary for this recognition.

PUBLIC HEARING: Proposed Refuse User Fee

First Selectman Milanovich opened the public hearing at 7:33 p.m. and read the **attached** legal notice. He asked for comments from the public.

A resident from Pinnacle Road asked if households would be limited to one trash bin. Mr. Milanovich explained that the trash collection system will not change. The BOS is only considering increasing the fee. The proposal is to increase the fee from \$88 to \$90.

Hearing no further comments, Mr. Milanovich closed the Public Hearing at 7:36 p.m.

I. CALL TO ORDER:

First Selectman Milanovich called the meeting of the Board of Selectmen (BOS) to order at 7:36 p.m.

II. CITIZENS' FORUM: None.

III. APPROVAL OF MINUTES:

A. August 15, 2005 Board of Selectmen Meeting:

MOVED (WAY), SECONDED (FRAWLEY) AND PASSED [LEIGHTON/MILLER ABSTAINED] TO APPROVE THE AUGUST 15, 2005 MINUTES OF THE BOARD OF SELECTMEN.

B. August 16, 2005 Board of Selectmen Special Meeting

MOVED (WAY), SECONDED (CHARTER) AND PASSED [MILLER ABSTAINED] TO APPROVE THE AUGUST 16, 2005 MINUTES OF THE BOARD OF SELECTMEN.

IV. UNFINISHED BUSINESS:

A. Donation of State Property – Northerly Side of Rte. 140

MOVED (FRAWLEY), SECONDED (WAY) AND PASSED UNANIMOUSLY TO ACCEPT THE CONVEYANCE OF LAND OF APPROXIMATELY 20,678 SQUARE FEET LOCATED ON THE NORTHERLY SIDE OF ROUTE 140 (SADDS MILL ROAD) FROM THE STATE OF CONNECTICUT, AS RECOMMENDED BY THE PLANNING AND ZONING COMMISSION. **(ATTACHED)**

B. Abandonment/Discontinuance of Porter Road

The BOS is awaiting a recommendation from the Planning & Zoning Commission which they will address at their September 26, 2005 meeting. This item will be table to the BOS October 17, 2005 meeting.

A. Macione, 154 Hoffman Road, and Tory Dombek, 29 Kibbe Road, stated that they own property on Porter Road and questioned why property owners were not notified of this agenda item. Mr. Milanovich stated that this item is still in the discussion stage and if the BOS decides to take action, it is his understanding that the abutting property owners will be notified.

C. Northern CT Land Trust Request for Hiking Trail on Town-owned Property

Mr. Gage referenced a letter from the Town Attorney, stating that if Porter Road is abandoned the ownership of the roadbed is conveyed to the abutting property owners and the Town cannot grant permission to allow a trail. A trail will be possible; however, on the Town-owned open space property. The BOS was in favor of granting the Land Trust the right to install and maintain hiking trails on the Town-owned open space provided the Land Trust supply proof of insurance.

D. Cultural Arts Commission (CAC) – Use of Donations

Paul Recker and Pam Amodio came forward. Ms. Amodio stated that due to budget cuts, the Cultural Arts Commission will be changing its direction by becoming a fundraising and granting organization. It will be their mission to provide arts opportunities and experiences to Ellington residents of all ages rather than produce art programs.

Ms. Amodio distributed guidelines for the granting programs: Arts Presentation Grants, Community Event Grants and Arts Scholarships. She also explained the fundraising strategy.

The BOS discussed the accounting method for accepting donations and expending funds. Ms. Amodio stated that the CAC would like assurance that the funds will rollover from year to year and that any year-end balance will not be returned to the General Fund.

Mr. Milanovich stated that the BOS will study the documents distributed tonight and get an opinion from the Finance Officer and the Town Attorney regarding the accounting issue. This item will be table to the October 17, 2005 meeting.

MOVED (FRAWLEY), SECONDED (MILLER) AND PASSED UNANIMOUSLY TO ADD THE FOLLOWING ITEMS TO NEW BUSINESS: ITEM "O", *ACCEPTANCE OF ROADS – ZIMMERMAN WAY AND PORTION OF ABBOTT ROAD*; ITEM "P", *RE-ESTABLISH AD HOC DRUG FREE GRADUATION PARTY COMMITTEE*; ITEM "Q", *REQUEST TO HOLD WINTERFEST EVENT*; AND ITEM "R", *HUMAN SERVICES WELFARE ACCOUNT*.

V. NEW BUSINESS:

A. Tax Refunds/Abatelements:

MOVED (FRAWLEY), SECONDED (MILLER) AND PASSED UNANIMOUSLY TO APPROVE THE TAX REFUNDS IN THE AMOUNT OF \$6,251.82, AS RECOMMENDED BY THE TAX COLLECTOR IN THE REFUNDS/ABATEMENTS STATEMENT. **(ATTACHED)**

B. Set Trash Collection Fee:

MOVED (FRAWLEY), SECONDED (MILLER) AND PASSED UNANIMOUSLY THAT EACH RESIDENTIAL UNIT OWNER BE CHARGED A FEE OF \$90 FOR THE SOLID WASTE COLLECTION SERVICES FOR THE PERIOD JULY 1, 2005 TO JUNE 30, 2006 INCLUSIVE, PURSUANT TO SECTION VIII.a.5 OF THE SOLID WASTE COLLECTION ORDINANCE ADOPTED JUNE 21, 1993 BY THE TOWN MEETING AND AS AN EMERGENCY ORDINANCE BY THE BOARD OF SELECTMEN; AND

THAT THE TAX COLLECTOR IS HEREBY DIRECTED TO ISSUE A BILL IN THE ABOVE AMOUNT TO EACH RESIDENTIAL UNIT OWNER DUE NOVEMBER 1, 2005, WITH NO INTEREST IF PAID ON OR BEFORE NOVEMBER 30, 2005; THEREAFTER INTEREST SHALL BE CHARGED AT THE LEGAL RATE OF 10% OR .833% PER MONTH FROM DECEMBER 1, 2005, OR PORTION THEREOF, UNTIL PAID; AND

IF THE TAX COLLECTOR DETERMINES THAT THE RESIDENTIAL UNIT WAS NOT OCCUPIED AND DID NOT USE SOLID WASTE COLLECTION FOR A CONSECUTIVE PERIOD OF SIX MONTHS, THE TAX COLLECTOR IS AUTHORIZED TO REDUCE THE BILL BY \$45 FOR EACH SUCH SIX-MONTH PERIOD; NO REDUCTION IS AUTHORIZED FOR PERIODS LESS THAN SIX MONTHS OR DELINQUENT REFUSE ACCOUNTS; AND

THE TAX COLLECTOR SHALL PRORATE ANY NEW RESIDENTIAL UNITS BASED UPON THE NUMBER OF MONTHS, OR PORTION THEREOF, THE UNITS ACTUALLY USED THE SOLID WASTE COLLECTION, OR WAS OCCUPIED; AND

TO AUTHORIZE THE TAX COLLECTOR TO MAKE ADJUSTMENTS ON CHANGES OF OWNERSHIP OF RESIDENTIAL UNITS THAT HAVE OCCURRED IF THE NEW OWNER IS BEING BILLED FOR A PERIOD OF TIME THAT THE PREVIOUS OWNER HAD NOT BENEFITED FROM SUCH SERVICE; AND

TO AUTHORIZE THE TAX COLLECTOR TO TURN OVER TO A COLLECTION AGENCY ACCOUNTS FOR THE NOVEMBER 2005 BILLING WHICH HAVE BEEN OUTSTANDING FOR SIX MONTHS. THE COLLECTION FEE WILL BE ADDED TO THE DEBTOR BILLS AS AUTHORIZED BY STATE STATUTE.

C. EVFD – Additional Appropriation – Town Share of Firefighters Grant Award:

Mike Varney explained that the \$257,000 grant from the US Department of Homeland Security includes a 5% matching grant from the Town in the amount of \$12,850. EVFD will use these funds to purchase a live burn, self-contained training trailer for the firefighters of the Ellington Volunteer Fire Department and to share with their mutual aid partners in the Tolland County. The facility uses live fire and other types of training for firefighters without having to leave town. The BOS questioned what the maintenance of this trailer will cost. Chief Varney stated that the maintenance costs are included for the first two years. He did not have cost estimates at this time but anticipates that most of the maintenance cost will be for consumables, i.e., gas, smoke. He noted that the cost will be divided among the other Towns who use the trailer.

Jim Close, 9 Olde Farms Road, asked who decides which Towns will be able to use the trailer. Chief Varney stated that it has been pre-determined that only towns in the mutual aid vicinity will be able to borrow the trailer.

The BOS commended the EVFD for their work in securing this grant.

MOVED (FRAWLEY), SECONDED (MILLER) AND PASSED UNANIMOUSLY TO APPROVE AN ADDITIONAL APPROPRIATION OF \$12,850 FROM FY 2005-06 UNDESIGNATED GENERAL FUND BALANCE TO COVER THE COST OF THE TOWN'S SHARE OF THE 2005 ASSISTANCE TO FIREFIGHTERS \$257,000 GRANT AWARD, AS REQUESTED BY THE ELLINGTON VOLUNTEER FIRE DEPARTMENT AND PENDING BOARD OF FINANCE APPROVAL.

D. Additional Appropriation for Charter Revision Commission Budget/Set Town Meeting:

MOVED (FRAWLEY), SECONDED (MILLER) AND PASSED UNANIMOUSLY TO APPROVE AN ADDITIONAL APPROPRIATION OF \$2,500 FROM FY 2005-06 UNDESIGNATED GENERAL FUND BALANCE TO NEW BUDGET LINE ITEM #1035 – CHARTER REVISION COMMISSION TO COVER THE COST OF EXPENSES OF THE CHARTER REVISION COMMISSION, PENDING BOARD OF FINANCE AND TOWN MEETING APPROVAL.

MOVED (FRAWLEY), SECONDED (MILLER) AND PASSED UNANIMOUSLY TO AUTHORIZE THE FIRST SELECTMAN TO WARN A SPECIAL TOWN MEETING FOR MONDAY, OCTOBER 17, 2005, AT 7:15 P.M. AT THE ELLINGTON TOWN HALL TO CONSIDER ADDITIONAL APPROPRIATION OF \$2,500 FOR NEW BUDGET LINE ITEM - CHARTER REVISION COMMISSION.

- E. Board of Finance Memo Dated 9/7/05:
 - 1. Special Audit – EHS Project:

MOVED (FRAWLEY), SECONDED (MILLER) AND PASSED UNANIMOUSLY TO ENGAGE THE TOWN AUDITORS TO CONDUCT A SPECIAL AUDIT OF THE HIGH SCHOOL PROJECT FOR THE SCOPE OF THE PROGRAM INCLUDING CHANGE ORDERS AND TO DETERMINE THE WORK COMPLETED TO DATE, THE WORK THAT STILL NEEDS TO BE COMPLETED AND THE ESTIMATED COSTS TO COMPLETE THE PROJECT. THE COST OF THE AUDIT SHALL NOT EXCEED \$7,500 TO BE APPROPRIATED FROM FY 2005-06 UNDESIGNATED FUND BALANCE AND FURTHER THAT THE AUDIT IS TO BE COMPLETED IN 45 DAYS, AS RECOMMENDED BY THE BOARD OF FINANCE.

Mr. Frawley questioned if the cost of the audit will come out of the renovation budget. Mr. Milanovich felt that the Town should be able to recoup the money. Mr. DiCorleto stated that the expenditure will be charged to Account 121 – Special Audit Account and then charged back to the project.

- 2. Restoration of Field Maintenance Funds/Send to Town Meeting:

MOVED (FRAWLEY), SECONDED (MILLER) AND PASSED UNANIMOUSLY TO APPROVE THE RESTORATION OF \$40,288 TO THE GROUNDS MAINTENANCE BUDGET, LINE ITEM 435 OF THE PUBLIC WORKS DEPARTMENT, FOR SUPPLIES AND TO MAINTAIN THE FIELDS, AS RECOMMENDED BY THE BOARD OF FINANCE AND TO ADD THIS ITEM TO THE TOWN MEETING SCHEDULED FOR OCTOBER 17, 2005 FOR CONSIDERATION.

Mr. Milanovich stated that the BOE returned money to the General Fund from the playground project and requested that it be allocated for the maintenance of the school fields.

- 3. Open Space Fund

Mr. Milanovich stated that the BOF is strongly in favor of an open space fund and would like the BOS to consider an initiative to start such a fund.

Mr. Miller pointed out that this item is always cut at budget time as it is not a high priority. Mr. Milanovich suggested presenting it to the residents at a referendum. Mr. Charter was opposed to such action until a plan is in place. In addition, he would like to resolve the Fire Department sub-station on Pinney Street before considering an open space fund.

Mr. Gage stated the Conservation Commission strongly supports the development of an Open Space Fund. He noted that other Towns have successfully created such a fund in recognition that open space saves the Town money by pre-empting development which increases costs in education and other Town services.

Mr. Frawley stated that an Open Space Fund would allow the Town to plan purchases rather than reacting as the need arises.

Mr. Stupinski stated that the Conservation Commission was charged with conducting an inventory of Town resources and to obtain specific open space parcels. He questioned if the Town should buy land to conserve resources or prevent development. Mr. Gage stated that the funds will be directed to farmland preservation which will achieve the prevention of development. Mr. Milanovich was not in favor of purchasing parcels as they become available without a financial plan in place.

F. EHS Project – Waive Bidding/Engage Contractor for Punchlist:

Mr. Charter asked if the new contractor for the EHS project was already working without a contract. Mr. Milanovich stated that the Permanent Building Committee's goal was not to start a third school year without a finished building. Mr. Stupinski asked why this item was not addressed at the August meeting so the BOS could waive the bid before the contractor started the job. Mr. Milanovich explained that the details were not in place before the August meeting. He added that the job was abandoned as defined by the bond, the scope of work was defined by the Permanent Building Committee, Enfield Builders' insurance contract was in place from their prior project in Town, and they were working with an implied contract.

MOVED (FRAWLEY), SECONDED (MILLER) AND PASSED UNANIMOUSLY TO WAIVE THE NORMAL BIDDING PROCESS AND ENTER INTO CONTRACT WITH ENFIELD BUILDERS TO COMPLETE THE PUNCHLIST ITEMS FOR THE HIGH SCHOOL PROJECT, AS RECOMMENDED BY THE PERMANENT BUILDING COMMITTEE.

G. Computer Service and Maintenance Contract Renewal:

Mr. Milanovich stated that BOE lost their computer technical coordinator and suggested the BOS consider consolidating the Town's IT service with them. Mr. Miller expressed concerns with sharing a coordinator. Mr. Milanovich stated that they would define the parameters of work days and responsibilities to ensure coverage. Mr. Leighton questioned if the BOE needs a full time employee. He stated that more information on the BOE's requirements is needed in order to consider this request.

- H. FY 2004-05 Year-end Transfers, Adjustments, Additional Appropriations/
Send to Town Meeting:

Mr. DiCorleto distributed and explained the requests for year-end transfers, adjustments and additional appropriations to the 2004-05 budget.

MOVED (FRAWLEY), SECONDED (MILLER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO APPROVE THE YEAR-END TRANSFERS, ADJUSTMENTS AND ADDITIONAL APPROPRIATIONS FOR FISCAL YEAR 2004-2005 AS SUBMITTED AND RECOMMENDED BY THE FINANCE OFFICER; AND FURTHER TO ADD YEAR-END TRANSFERS AND ADDITIONAL APPROPRIATIONS THAT REQUIRE TOWN MEETING APPROVAL TO THE SPECIAL TOWN MEETING SCHEDULED FOR MONDAY, OCTOBER 17, 2005. **(ATTACHED)**

- I. Authorize First Selectman to Execute Deeds for Consolidation of Parcels at EHS:

MOVED (FRAWLEY), SECONDED (WAY) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO AUTHORIZE THE FIRST SELECTMAN TO EXECUTE THE DEEDS NECESSARY TO CONSOLIDATE ALL OF THE PARCELS OF LAND LOCATED AT THE HIGH SCHOOL INTO ONE CONTIGUOUS PARCEL OF LAND FOR THE PURPOSE OF FACILITATING ZONING APPLICATIONS AND APPROVALS, AS RECOMMENDED BY TOWN ATTORNEY.

- J. Land Acquisition – Roche Property – Maple Street:

MOVED (FRAWLEY), SECONDED (WAY) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO RECOMMEND THE PURCHASE OF THE ROCHE PROPERTY LOCATED AT 80 MAPLE STREET, ELLINGTON, CT, AN AMOUNT NOT TO EXCEED \$242,500 AND TO AUTHORIZE THE FIRST SELECTMAN TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THE PURCHASE AND FURTHER TO REQUEST A REPORT FROM THE PLANNING AND ZONING COMMISSION PURSUANT TO CGS SECTION 8-24 REGARDING THE ACQUISITION OF THIS PROPERTY AND TO REFER THE MATTER TO THE TOWN MEETING SCHEDULED FOR OCTOBER 17, 2005 FOR APPROVAL. **(ATTACHED)**

- K. Land Acquisition – Smith Property – Off Porter Road:

Mr. Stupinski asked if the Town requested an appraisal on this property. Mr. Milanovich stated that the parcel was appraised at over \$82,000 because it is an approved building lot.

A member of the audience asked what the Town was going to do with the property and how would they fund the purchase. Mr. Milanovich stated that the Town is buying it for control of Porter Road and would be funded through the open space account.

MOVED (FRAWLEY), SECONDED (MILLER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO RECOMMEND THE PURCHASE OF THE SMITH PROPERTY CONSISTING OF APPROXIMATELY 3.16 ACRES OF LAND LOCATED OFF OF PORTER ROAD IN ELLINGTON, CT, IN THE AMOUNT OF \$45,000 AND TO AUTHORIZE THE FIRST SELECTMAN TO EXECUTE ALL DOCUMENTS

NECESSARY TO EFFECTUATE THE PURCHASE PURSUANT TO A RIGHT OF FIRST REFUSAL AND FURTHER TO REQUEST A REPORT FROM THE PLANNING AND ZONING COMMISSION PURSUANT TO CGS SECTION 8-24 REGARDING THE ACQUISITION OF THIS PROPERTY AND TO REFER THE MATTER TO THE TOWN MEETING SCHEDULED FOR OCTOBER 17, 2005 FOR APPROVAL AND TO FURTHER DESIGNATE THAT THE FUNDS COME FROM THE OPEN SPACE ACCOUNT. **(ATTACHED)**

Bob Butler, Porter Road, stated that the Town is spending money on property acquisition but noted that money needs to be designated to repair Porter Road.

L. Ridgeview Drive House Numbers

Mr. Milanovich reported that letters were sent to 9 existing homeowners notifying them that their house number will be changed in order to bring the numbers in compliance with the other section of Ridgeview Drive. The anticipated change date is October 1, 2005.

John Turner, Municipal 911 Coordinator, stated that he has pointed out other areas in Town with more serious numbering issues; however, the BOS has never addressed his concerns. Mr. Milanovich stated that the BOS has asked the Building Official for a list of all outstanding house numbering issues. Mr. Turner asked for a copy of the list so he can cross reference it with his list. Mr. Turner noted that it is the resident's responsibility to notify SBC of the number change for the 911 data base. Mr. Charter requested that the Building Official submit his report prior to the October 17, 2005 meeting.

M. Small Cities Grant – Resolution for Use of Program Income:

MOVED (FRAWLEY), SECONDED (MILLER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO ADOPT THE FOLLOWING RESOLUTION:

WHEREAS, THE TOWN OF ELLINGTON HAS RECEIVED FUNDS UNDER THE CONNECTICUT SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM, ADMINISTERED BY THE STATE OF CONNECTICUT, DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT PURSUANT TO TITLE I OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 AS AMENDED; AND

WHEREAS, THE TOWN OF ELLINGTON HAS EXPENDED THOSE FUNDS PURSUANT TO TITLE I OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, THE CODE OF FEDERAL REGULATIONS AND THE ASSISTANCE AGREEMENT; AND

WHEREAS, THOSE FUNDS RECEIVED BY THE TOWN OF ELLINGTON HAVE GENERATED PROGRAM INCOME,

NOW THEREFORE, BE IT RESOLVED BY THE TOWN OF ELLINGTON:

1. THAT IT IS COGNIZANT OF THE CONDITIONS FOR USE OF PROGRAM INCOME AS PRESCRIBED BY TITLE 24, PART 570, SECTION 489 (e) OF THE CODE OF FEDERAL REGULATIONS.

- 2. THAT IT REALIZES PROGRAM INCOME IS GOVERNED BY TITLE I OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974.
- 3. THAT IT MAY USE PROGRAM INCOME ONLY FOR THE FOLLOWING ACTIVITIES:
 - a) THE ACTIVITY THAT GENERATED THE PROGRAM INCOME IF THE ACTIVITY CONTINUES TO MEET THE REQUIREMENTS OF TITLE I OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974.
 - b) ANY OTHER ACTIVITY THAT MEETS THE REQUIREMENTS OF TITLE I OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT IF THE TOWN RECEIVES DECD's WRITTEN APPROVAL TO FUND IT WITH PROGRAM INCOME.

- 4. THAT IT MAY USE PROGRAM INCOME TO FUND ADMINISTRATIVE AND PROGRAM SOFT COSTS WITHIN THE FOLLOWING LIMITS:

ADMINISTRATIVE COSTS	16%
TOTAL ADMINISTRATIVE AND PROGRAM SOFT COSTS (Housing Rehabilitation Activities <u>Only</u>)	25%
TOTAL ADMINISTRATIVE AND PROGRAM SOFT COSTS (All Activities <u>Except</u> for Housing Rehabilitation)	21%

N. Windermere/Pinney Intersection – Rotary/Traffic Light

Mr. Milanovich stated that the Town Engineer prepared a preliminary cost estimate in the amount of \$116,000 for a roundabout at the intersection of Windermere Avenue and Pinney Street. He noted that a traffic light will cost approximately \$100,000. Mr. Milanovich stated that a roundabout increases safety as it slows traffic, saves on fuel expense and increases the traffic capacity by 30-50%. He noted that it also meets the DOT criteria.

Mr. Charter asked if there is anything in writing that states the Town will pay half the cost for the improvements to this intersection. Mr. Michaud stated that it was the consensus of the BOS when discussing the installation of a traffic light.

O. Acceptance of Roads – Zimmerman Way and Portion of Abbott Road:

MOVED (FRAWLEY), SECONDED (MILLER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, THAT UPON RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION THAT ZIMMERMAN WAY AND A PORTION OF ABBOTT ROAD, AS DEFINED ON THE DEED **ATTACHED** TO THAT RECOMMENDATION AND THESE MINUTES, THIS BOARD ACCEPTS SAID ROAD AS TOWN ROADS AND AUTHORIZES THE TOWN PLANNER TO RECORD THE TENDERED DEED PURSUANT TO THIS AUTHORIZATION AND THE SUBDIVISION REGULATIONS.

P. Re-Establish Ad Hoc Drug Free Graduation Party Committee:

MOVED (FRAWLEY), SECONDED (STUPINSKI) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO RE-ESTABLISH THE AD HOC DRUG FREE GRADUATION PARTY COMMITTEE FOR ANOTHER YEAR.

Q. Request to Hold Winterfest Event:

MOVED (FRAWLEY), SECONDED (WAY) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO GRANT THE REQUEST OF THE WINTERFEST COMMITTEE TO HOLD THE 2005 WINTERFEST ON THE TOWN GREEN ON SATURDAY DECEMBER 3, 2005 BETWEEN 3:00 AND 7:00 P.M. INCLUDING SET-UP AND CLEAN-UP FOR A TREE LIGHTING CEREMONY TO BE COORDINATED WITH THE PUBLIC WORKS DEPARTMENT, PROVIDED ALL NECESSARY TOWN AGENCY APPROVALS AND STATE PERMITS ARE OBTAINED.

R. Human Services Welfare Account:

Mr. Frawley stated that the Human Services Welfare Account was reduced during the final round of budget cuts. This account is used to fund the operation of fuel banks and prevent gas and electric shut-offs during the winter months. In light of the recent increases in utilities and heating costs, Mr. Frawley requested the BOS consider adding \$5,000 to this line item.

MOVED (FRAWLEY), SECONDED (MILLER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO RECOMMEND TO THE BOARD OF FINANCE AN INCREASE OF \$5,000 TO THE WELFARE BUDGET.

VI. ADMINISTRATIVE REPORTS: So noted.

VII. SELECTMEN COMMITTEE REPORTS:

A. Personnel Committee

1. Resignations:

MOVED (FRAWLEY), SECONDED (STUPINSKI) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO ACCEPT, WITH REGRET, THE RESIGNATION OF MICHAEL DuBOIS, CONSTABLE.

2. Recommended Appointments:

MOVED (MILLER), SECONDED (STUPINSKI) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO APPOINT JERI ST. JOHN TO THE AD HOC DRUG ABUSE PREVENTION COUNCIL TO AUGUST 31, 2006.

MOVED (STUPINSKI), SECONDED (FRAWLEY) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO REAPPOINT NANCY LEMEK AS LAND RECORDS INSPECTOR FOR A ONE-YEAR TERM TO SEPTEMBER 30, 2006.

MOVED (STUPINSKI), SECONDED (FRAWLEY) AND PASSED UNANIMOUSLY TO REAPPOINT JAMES PRICHARD AS AN ALTERNATE MEMBER OF THE PLANNING & ZONING COMMISSION FOR A TWO-YEAR TERM TO SEPTEMBER 30, 2007.

B. Other: None.

VIII. SELECTMEN LIAISON REPORTS: None.

IX. FIRST SELECTMAN'S REPORT:

Mr. Charter asked Mr. Milanovich to send a letter to the Town Attorney inquiring if an appeal process for the new building costs is required by law.

Mr. Charter stated that he recently submitted a gravel application to the Planning & Zoning Commission and was told the applications are being put on hold. Mr. Milanovich stated that Mr. Charter was misinformed. He explained that the PZC Chair is reviewing all applications; those requiring a public hearing will be sent to Planimetrics for review, all others will be reviewed by the Town Engineer and current staff.

X. CORRESPONDENCE:

A. Letter of thanks from Mildred Arens Dimock, 2005 Wall of Honor Recipient, dated September 14, 2005. So noted.

XI. ADJOURNMENT

MOVED (FRAWLEY), SECONDED (WAY) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO ADJOURN THE MEETING OF THE BOARD OF SELECTMEN AT 10:15 P.M.

Submitted by Marie Sauve
Marie Sauve

Approved by Dennis C. Milanovich
Dennis Milanovich



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NOTICE OF PUBLIC HEARING TOWN OF ELLINGTON PROPOSED REFUSE USER FEE


Notice is hereby given that the Town of Ellington will hold a Public Hearing on September 19, 2005 at 7:30 p.m. prevailing time at the Ellington Town Hall, 55 Main Street, Ellington, Connecticut for the purpose of hearing comments by property owners concerning the proposed REFUSE user fee (pursuant to Section VIII.A.5 of the Solid Waste Collection Ordinance) to be charged to residential dwellings in Ellington. At the above hearing property owners being charged shall have the opportunity to be heard.

The proposed charge per residential unit: \$90.00

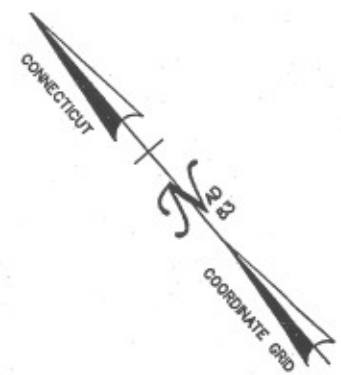
The proposed unit charge covers the period from July 1, 2005 through June 30, 2006.

Dated at Ellington, Connecticut, this 7th day of September, 2005.

BY ORDER OF THE
BOARD OF SELECTMEN

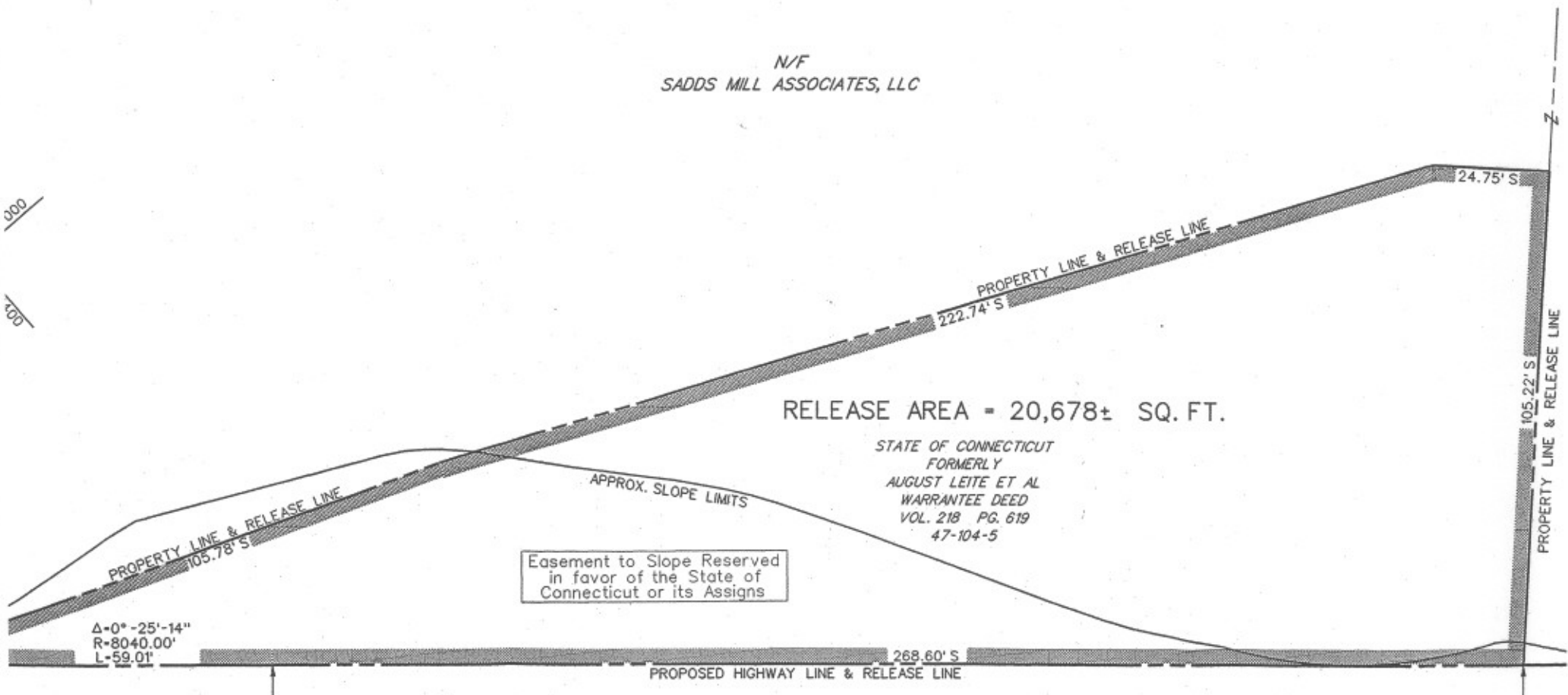

Dennis C. Milanovich
First Selectman

IV A



N/F
SADDS MILL ASSOCIATES, LLC

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400



RELEASE AREA - 20,678± SQ. FT.

STATE OF CONNECTICUT
FORMERLY
AUGUST LEITE ET AL
WARRANTEE DEED
VOL. 218 PG. 619
47-104-5

Easement to Slope Reserved
in favor of the State of
Connecticut or its Assigns

Δ=0°-25'-14"
R=8040.00'
L=59.01'

PROPOSED HIGHWAY LINE & RELEASE LINE

PROPERTY LINE & RELEASE LINE

					V-A
TAX COLLECTOR'S REFUNDS/ABATEMENTS					
SEPTEMBER, 2005					
DOLLAR AMOUNT	PERSON/CORPORATION	MV/PERS.PROP REAL ESTATE	YEAR	TAX/ASSESSOR REQUESTING DEPT.	REASON FOR
	REFUNDS				
\$457.15	ALLEY, MARK	MOTOR VEHICLE	04	ASSESSOR	VEHICLE SOLD
\$24.36	BALLARD, RUSSELL W or JULIANNA G	MOTOR VEHICLE	04	ASSESSOR	VEHICLE SOLD
\$61.44	BARBER, KAREN B	MOTOR VEHICLE	01	TAX OFFICE	OVERPAYMENT
\$39.20	BURLEM, BRANDON	MOTOR VEHICLE	04	ASSESSOR	VEHICLE SOLD
\$59.04	CARCIA TRANSPORT LLC	MOTOR VEHICLE	04	ASSESSOR	VEHICLE SOLD
\$387.41	CHASE MAN AUTO FIN CORP	MOTOR VEHICLE	04	ASSESSOR	VEHICLE SOLD
\$94.16	CHRBASCZ, JASON F	MOTOR VEHICLE	04	ASSESSOR	MOVED FROM CT
\$21.02	CRAMER, KIMBERLY A	MOTOR VEHICLE	04	ASSESSOR	VEHICLE SOLD
\$1,043.34	FORD MOTOR CREDIT CO	MOTOR VEHICLE	03	ASSESSOR	VEHICLE SOLD
\$727.91	FORD MOTOR CREDIT CO	MOTOR VEHICLE	03	ASSESSOR	VEHICLE SOLD
\$807.70	FORD MOTOR CREDIT CO	MOTOR VEHICLE	03	ASSESSOR	VEHICLE SOLD
\$25.70	McKIERNAN, SHANNON L	MOTOR VEHICLE	04	ASSESSOR	VEHICLE SOLD
\$415.90	MOTORLEASE CORP	MOTOR VEHICLE	04	ASSESSOR	VEHICLE SOLD
\$139.40	NISSAN INFINITI LT	MOTOR VEHICLE	04	ASSESSOR	VEHICLE SOLD
\$17.40	NEWMAN, JENNIFER A	MOTOR VEHICLE	04	ASSESSOR	MOVED FROM CT
\$686.95	SCIBILIA & McCUIN (for Melo)	REAL ESTATE	04	TAX OFFICE	DUPLICATE PYMT
\$44.60	TISHON, JAYME R	MOTOR VEHICLE	03	ASSESSOR	VEHICLE SOLD
\$52.10	TOMASCO INC dba ADV KITCHENS	MOTOR VEHICLE	04	ASSESSOR	VEHICLE SOLD
\$491.84	VW CREDIT LEASING LTD	MOTOR VEHICLE	03	ASSESSOR	VEHICLE SOLD
\$655.20	WELLS FARGO FINANCIAL LEASING INC	PERS PROP	04	TAX OFFICE	OVERPYMT
\$6,251.82	SEPTEMBER REFUND TOTAL				
	ABATEMENTS				
\$0.00	SEPTEMBER ABATEMENT TOTAL				
\$6,251.42	SEPTEMBER, 2005 REFUND AND ABATEMENT TOTAL				
refsep05					

These numbers may change after the auditors review		TOWN OF ELLINGTON	
		FISCAL YEAR 2004-05	
TRANSFERS/ADDITIONAL APPROPRIATIONS			
REQUIRES NO TOWN MEETING ACTION			DOLLAR AMOUNT
(A)	FISCAL YEAR 2004-05		
	TRANSFERS FROM:		
450	Sanitary Landfill		47,420
950	Insurance		122,000
	TOTAL		169,420
	TRANSFERS TO:		
120	Board of Finance		911
140	Town Clerk		74
230	Planning & Zoning		6,235
310	Center Fire Department		188
330	Police		6,398
331	Police Special Duty		7,450
333	Police Drug Abuse Resisit Ed		526
350	Emergency Management		444
370	E.Volunteer Ambulance		6,034
375	Emergency Services incentive Program		5,965
380	Public Safety		56
391	Fire Marshall		515
410	General Town Roads		15,124
415	New Equipment		4,002
420	Equipment Maintenance		10,835
425	Town Garage Maintenance		7,522
430	Street Signs		1,743
435	Grounds Maintenance -BOE/PARKS		5,777
455	Sanitary Recycling		16,121
460	WPCA Maintenance		8,793
610	Hall Memorial Library		6,451
744	ROPE		874
795	Senior Center- Moved to Town meeting		0
810	Town Hall		28,767
951	Insurance Reimbursement		17,682
952	Insurance Prior Year		866
1030	Memorial Day Committee		390
1050	Referendum		9,677
	TOTAL		169,420
Corrected table to reflect Senior Center add't appropriation require town meting action.			

2

These numbers may change after the auditors review		TOWN OF ELLINGTON FISCAL YEAR 2004-05	
TRANSFERS/ADDITIONAL APPROPRIATIONS			
REQUIRES NO TOWN MEETING ACTION		DOLLAR AMOUNT	
REQUIRES TOWN MEETING ACTION-(B,C,D,E)		DOLLAR AMOUNT	
(B)	APPROPRIATE FROM		
	UNRESERVED-GENERAL FUND BALANCE-04-05	285,779	
	TOTAL	285,779	
	TO:		
150	TOWN COUNSEL	40,124	
439	TOWN ROAD AID-WINTER	147,318	
440	TOWN ROAD AID-MATERIALS	47,146	
480	ENGINEER & INSPECTIONS	32,763	
795	Senior Center	18,428	
	TOTAL	285,779	0
(C)	TO SET UP NEW CAPITAL N. REC. ACCOUNT		
	APPROPRIATE FROM		
	UNRESERVED-GENERAL FUND BALANCE-04-05	19,973	
	TOTAL	19,973	
	TO:		
	CAP. N.REC FUND-NEW ACCOUNT-EVAC-REPLACEMENT DEFIB EQUIP	19,973	
	TOTAL	19,973	
	FUNDED BY AMBULANCE FEE PROGRAM		
(D)	PREPAID GRANTS		
	TO INCREASE PREPAID GRANTS AND FUNDS FULLY REIMBURSABLE FOR FISCAL YEAR COMMENCING ON JULY 1, 2004 AND ENDING ON JUNE 30, 2005 AND TO APPROPRIATE THE SAME TO THE BOARD OF EDUCATION IN A SUM NOT TO EXCEED \$249,798. NEW ALLOCATION TOTAL IS \$861,998 (\$612,200 APPROVED AT TOWN MEETING MAY 11, 2004 PLUS \$249,798)		
(E)	CHANGE IN CAPITAL NON REC PROJECT		
	To change the name of the approved Fiscal Year 04-05 Capital Non Recurring Project- BOE-CLS Architectual Study to BOE Systemwide Architectual Study		

	TOWN OF ELLINGTON
	FISCAL YEAR 2004-05
	DEPARTMENT
	EXPLANATIONS FOR TRANSFERS
120	BOARD OF FINANCE
	Legal Notice
140	TOWN CLERK
	State of CT
150	TOWN COUNSEL
	Various legal issues
230	PLANNING & ZONING
	State of Connecticut Surcharges
310	CENTER FIRE DEPARTMENT
	Technical Equipment
330	POLICE
	Resident State Troopers and OT
331	POLICE SPECIAL DUTY
	Offset by revenues
333	POLICE DRUG ABUSE RESIST ED
	Offset by revenues
350	EMERGENCY MANAGEMENT
	Technical Equipment
370	E. VOLUNTEER AMBULANCE
	Medical Supplies, Technical Equipment and Supplies, Repairs & Mnt Blg
375	EMERGENCY SERVICES INCENTIVE PROGRAM
	Member Services
380	PUBLIC SAFETY
	Part Time
391	FIRE MARSHALL
	Technical Supplies
410	GENERAL TOWN ROADS
	Overtime Budget \$78,485, actual expenditures \$140,265 over by \$61,780
415	NEW EQUIPMENT
	New Equipment
420	EQUIPMENT MAINT
	Repairs, Diesel fuel
425	TOWN GARAGE MAINTENANCE
	Electricity, heating fuel
430	STREET SIGNS
	Street signs
435	GROUNDS MAINTENANCE-BOE/PARKS
	Recreation Mnt supplies
439	TOWN ROAD AID-WINTER
	Snow supplies-sand, salt, etc.

	TOWN OF ELLINGTON
	FISCAL YEAR 2004-05
	DEPARTMENT
	EXPLANATIONS FOR TRANSFERS
440	TOWN ROAD AID-MATERIALS Road supplies
455	SANITARY RECYCLING Growth in town, etc
460	WPCA MAINTENANCE Reimbursed from WPCA
480	ENGINEER & INSPECTIONS Growth in town Estimated invoice should be in this week
610	HALL MEMORIAL LIBRARY Part Time,repairs and maintenance building,electricity,heating fuel
744	ROPE Offset by donations
795	SENIOR CENTER Contracted services, senior center expansion, heating
810	TOWN HALL Computer repairs/updates, equipment rental, repairs & mnt building
951	INSURANCE REIMB. & CLAIMS Water Damage LMS, automobiles
952	INSURANCE PRIOR YEAR Audit of worker compensation
1030	MEMORIAL DAY COMMITTEE Activity
1050	REFERENDUM Four, and primary
	CAP. N.REC FUND-EVAC REPLACEMENT DEFIB EQUIPMENT Funded by Ambulance Fee Program

TOWN OF ELLIOT
ALL DEPARTMENTS
BUDGET REPORT 2004-2005
For the Twelve Months Ending June 30, 2005

			(A)			(B)	(A-B)	(C)	(C-B)
	Approved Budget	Trans/ Add'l Appr	Adjusted Approved Budget	Encumb- brance	YTD Expended	YTD/ENC Expended Total	Balance	2004-2005 Budget Est Total	Over/ (Under) Variance
GENERAL GOVERNMENT									
0110 - Board of Selectmen	\$163,820.00	\$0.00	\$163,820.00	\$0.00	\$160,417.04	\$160,417.04	\$3,402.96	\$166,820.00	(\$6,402.96)
0120 - Board of Finance	7,250.00	0.00	7,250.00	0.00	8,160.79	8,160.79	(910.79)	8,050.00	110.79
0121 - Auditors	27,500.00	0.00	27,500.00	0.00	27,500.00	27,500.00	0.00	27,500.00	0.00
0122 - Auditors-Special Projects	100.00	0.00	100.00	0.00	0.00	0.00	100.00	100.00	(100.00)
0130 - Finance Officer	203,819.00	0.00	203,819.00	0.00	198,876.94	198,876.94	4,942.06	203,819.00	(4,942.06)
0131 - Tax Assessor	182,268.00	0.00	182,268.00	0.00	157,721.04	157,721.04	24,546.96	182,268.00	(24,546.96)
0132 - Tax Collector	128,958.00	0.00	128,958.00	0.00	127,486.57	127,486.57	1,471.43	134,613.00	(7,126.43)
0133 - BD of Assessment Appeals	500.00	0.00	500.00	0.00	362.02	362.02	137.98	500.00	(137.98)
0134 - Insurance Advisory Board	100.00	0.00	100.00	0.00	0.00	0.00	100.00	100.00	(100.00)
0140 - Town Clerk	189,364.00	0.00	189,364.00	0.00	189,437.86	189,437.86	(73.86)	189,364.00	73.86
0150 - Town Counsel	75,000.00	0.00	75,000.00	0.00	115,123.27	115,123.27	(40,123.27)	123,000.00	(7,876.73)
0155 - Probate Court	6,955.00	0.00	6,955.00	0.00	3,477.28	3,477.28	3,477.72	6,955.00	(3,477.72)
0170 - Town Planner	187,671.00	0.00	187,671.00	0.00	182,206.69	182,206.69	5,464.31	187,671.00	(5,464.31)
Total for General Government	1,173,305.00	0.00	1,173,305.00	0.00	1,170,769.50	1,170,769.50	2,535.50	1,230,760.00	(59,990.50)
BOARD, AGENCIES & COMMISSIONS									
0210 - Registrars & Electors	42,758.00	0.00	42,758.00	0.00	39,034.37	39,034.37	3,723.63	42,758.00	(3,723.63)
0220 - Economic Development Comm	6,700.00	0.00	6,700.00	0.00	3,783.42	3,783.42	2,916.58	6,700.00	(2,916.58)
0230 - Planning & Zoning	19,415.00	0.00	19,415.00	0.00	25,649.19	25,649.19	(6,234.19)	29,225.00	(3,575.81)
0235 - Design Review Board	100.00	0.00	100.00	0.00	0.00	0.00	100.00	100.00	(100.00)
0240 - Zoning Board of Appeals	6,176.00	0.00	6,176.00	0.00	5,791.02	5,791.02	384.98	6,176.00	(384.98)
0250 - Permanent Building Committee	1,850.00	0.00	1,850.00	0.00	773.00	773.00	1,077.00	1,850.00	(1,077.00)
0260 - Inland Wetlands Agency	9,200.00	0.00	9,200.00	0.00	6,628.96	6,628.96	2,571.04	9,200.00	(2,571.04)
0270 - Conservation Commission	2,500.00	0.00	2,500.00	0.00	2,500.00	2,500.00	0.00	2,500.00	0.00
0275 - Forest & Open Space Comm	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0280 - WPCA	1.00	0.00	1.00	0.00	0.00	0.00	1.00	1.00	(1.00)
Total Boards & Agencies-200	88,700.00	0.00	88,700.00	0.00	84,159.96	84,159.96	4,540.04	98,510.00	(14,350.04)
PUBLIC SAFETY									
0310 - Center Fire Dept	105,510.00	0.00	105,510.00	0.00	105,697.08	105,697.08	(187.08)	107,318.00	(1,620.92)
0320 - Crystal Lake Fire Dept	52,837.00	14,000.00	66,837.00	0.00	64,255.04	64,255.04	2,581.96	70,115.00	(5,859.96)
0321 - Fire Protection Hydrants	252,214.00	0.00	252,214.00	0.00	232,976.68	232,976.68	19,237.32	237,214.00	(4,237.32)
0322 - Emergency 911	36,425.00	0.00	36,425.00	0.00	36,259.22	36,259.22	165.78	36,425.00	(165.78)
0330 - Police	580,140.00	0.00	580,140.00	0.00	586,537.41	586,537.41	(6,397.41)	588,740.00	(2,202.59)
0331 - Police Special Duty	10,000.00	0.00	10,000.00	0.00	17,449.50	17,449.50	(7,449.50)	14,000.00	3,449.50
0332 - Police Drug Forfeiture	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0333 - Police Drug Abuse Resit Ed	1,500.00	0.00	1,500.00	0.00	2,025.34	2,025.34	(525.34)	1,500.00	525.34
0334 - Juvenile Justice Grant	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0340 - Animal Control Officer	67,956.00	0.00	67,956.00	0.00	61,063.99	61,063.99	6,892.01	71,882.00	(10,818.01)
0350 - Emergency Marnagmt	12,000.00	0.00	12,000.00	0.00	12,443.89	12,443.89	(443.89)	15,559.00	(3,115.11)
0360 - Building Department	107,266.00	0.00	107,266.00	0.00	100,955.19	100,955.19	6,310.81	108,166.00	(7,210.81)
0370 - E.Volunteer Ambulance	135,530.00	0.00	135,530.00	0.00	141,563.74	141,563.74	(6,033.74)	138,128.00	3,435.74
0375 - Emergency Services Incentive Programs	89,375.00	0.00	89,375.00	0.00	95,339.20	95,339.20	(5,964.20)	89,375.00	5,964.20
0380 - Public Safety Commission	100.00	0.00	100.00	0.00	155.10	155.10	(55.10)	250.00	(94.90)
0381 - Public Safety Serv Independent Review	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0391 - Fire Marshall	59,623.00	0.00	59,623.00	0.00	60,137.80	60,137.80	(514.80)	59,623.00	514.80
Total-Public Safety-300	1,510,476.00	14,000.00	1,524,476.00	0.00	1,516,859.18	1,516,859.18	7,616.82	1,538,295.00	(21,435.82)
PUBLIC WORKS									
0410 - General Town Roads	1,126,600.00	0.00	1,126,600.00	0.00	1,141,723.66	1,141,723.66	(15,123.66)	1,199,600.00	(57,876.34)
0415 - New Equipment	7,500.00	0.00	7,500.00	0.00	11,501.10	11,501.10	(4,001.10)	7,500.00	4,001.10
0420 - Equipment Maintenance	114,986.00	0.00	114,986.00	0.00	125,820.16	125,820.16	(10,834.16)	144,986.00	(19,165.84)

**TOWN OF ELLINGTON
ALL DEPARTMENTS
BUDGET REPORT 2004-2005
For the Twelve Months Ending June 30, 2005**

			(A)			(B)	(A-B)	(C)	(C-B)
	Approved Budget	Trans/ Add'l Appr	Adjusted Approved Budget	Encumb- brance	YTD Expended	YTD/ENC Expended Total	Balance	2004-2005 Budget Est Total	Over/ (Under) Variance
0425 - Town Garage Maintenance	\$40,825.00	\$0.00	\$40,825.00	\$0.00	\$48,346.01	\$48,346.01	(\$7,521.01)	\$40,825.00	\$7,521.01
0430 - Street Signs	10,000.00	0.00	10,000.00	0.00	11,742.66	11,742.66	(1,742.66)	10,000.00	1,742.66
0435 - Grounds Maintenance-BOE/PARKS	43,058.00	0.00	43,058.00	0.00	48,834.25	48,834.25	(5,776.25)	43,058.00	5,776.25
0439 - Town Road Aid-Winter	90,000.00	0.00	90,000.00	0.00	237,317.95	237,317.95	(147,317.95)	210,000.00	27,317.95
0440 - Town Road Aid-Materials	186,215.00	0.00	186,215.00	0.00	233,360.80	233,360.80	(47,145.80)	186,215.00	47,145.80
Grand Total of 410/440	1,619,184.00	0.00	1,619,184.00	0.00	1,858,646.59	1,858,646.59	(239,462.59)	1,842,184.00	16,462.59
0450 - Sanitary Landfill	451,680.00	0.00	451,680.00	0.00	347,788.55	347,788.55	103,891.45	351,680.00	(3,891.45)
0451 - Mun-Solid/Bulky Waste Curb	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0455 - Sanitary Recycling	214,405.00	0.00	214,405.00	0.00	230,525.73	230,525.73	(16,120.73)	214,405.00	16,120.73
0456 - Household Hazardous Waste	26,000.00	0.00	26,000.00	0.00	18,532.81	18,532.81	7,467.19	26,000.00	(7,467.19)
WPCA MAINTENANCE									
0460 - WPCA Maintenance-Hockanum	31,000.00	0.00	31,000.00	0.00	40,182.33	40,182.33	(9,182.33)	31,000.00	9,182.33
0461 - WPCA Maintenance-Crystal Lake	29,000.00	0.00	29,000.00	0.00	28,610.10	28,610.10	389.90	29,000.00	(389.90)
Grand Total of 460/461	60,000.00	0.00	60,000.00	0.00	68,792.43	68,792.43	(8,792.43)	60,000.00	8,792.43
0470 - Street Lighting	68,208.00	0.00	68,208.00	0.00	53,702.91	53,702.91	14,505.09	68,208.00	(14,505.09)
0480 - Engineer & Inspections	65,000.00	0.00	65,000.00	0.00	17,762.50	17,762.50	47,237.50	65,000.00	(47,237.50)
Total of Public Works-400	2,504,477.00	0.00	2,504,477.00	0.00	2,595,751.52	2,595,751.52	(91,274.52)	2,627,477.00	(31,725.48)

**RECREATION
RECREATION DEPARTMENT**

510 - Administration	143,714.00	0.00	143,714.00	0.00	136,002.32	136,002.32	7,711.68	143,714.00	(7,711.68)
511 - Townwide Maintenance	5,600.00	0.00	5,600.00	0.00	1,746.01	1,746.01	3,853.99	5,600.00	(3,853.99)
512 - Summer Play Grounds	7,146.00	0.00	7,146.00	0.00	4,491.06	4,491.06	2,654.94	7,146.00	(2,654.94)
513 - Water Front	20,600.00	0.00	20,600.00	0.00	20,788.89	20,788.89	(188.89)	20,600.00	188.89
514 - Recreation Programs	77,628.00	0.00	77,628.00	0.00	57,803.65	57,803.65	19,824.35	77,628.00	(19,824.35)
527 - Senior Citizens	1,207.00	0.00	1,207.00	0.00	740.00	740.00	467.00	1,207.00	(467.00)
536 - Mini-Programs	40,000.00	0.00	40,000.00	0.00	20,937.22	20,937.22	19,062.78	40,000.00	(19,062.78)
539 - Parks Recreation Equipment	4,000.00	0.00	4,000.00	0.00	0.00	0.00	4,000.00	4,000.00	(4,000.00)
540 - Teen Center Activities	4,000.00	0.00	4,000.00	0.00	0.00	0.00	4,000.00	4,000.00	(4,000.00)
Grand Total of 510/540	303,895.00	0.00	303,895.00	0.00	242,509.15	242,509.15	61,385.85	303,895.00	(61,385.85)
550 - Cultural Arts	12,000.00	0.00	12,000.00	0.00	11,534.48	11,534.48	465.52	12,000.00	(465.52)
560 - Interagency After School Program	20,000.00	0.00	20,000.00	0.00	4,975.30	4,975.30	15,024.70	20,000.00	(15,024.70)
580 - Shenipist Lake Recreation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
585 - Crystal Lake Water Monitor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total of Recreation-500	335,895.00	0.00	335,895.00	0.00	259,018.93	259,018.93	76,876.07	335,895.00	(76,876.07)

LIBRARY

610 - Hall Memorial Library	396,495.00	0.00	396,495.00	0.00	402,945.33	402,945.33	(6,450.33)	415,985.00	(13,039.67)
Total of Library-600	396,495.00	0.00	396,495.00	0.00	402,945.33	402,945.33	(6,450.33)	415,985.00	(13,039.67)

HUMAN SERVICES COMMISSION

710 - Public Health Nursing	7,225.00	0.00	7,225.00	0.00	4,564.54	4,564.54	2,660.46	7,225.00	(2,660.46)
711 - Vernon Area Community Health Center	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
715 - Tri-Town Emergency Shelter	4,000.00	0.00	4,000.00	0.00	4,000.00	4,000.00	0.00	4,000.00	0.00
720 - Conn Legal Services	1,200.00	0.00	1,200.00	0.00	1,200.00	1,200.00	0.00	1,200.00	0.00
725 - YWCA/SACS	1,100.00	0.00	1,100.00	0.00	1,100.00	1,100.00	0.00	1,100.00	0.00
726 - NC Reg Mental Health Board	904.00	0.00	904.00	0.00	904.00	904.00	0.00	904.00	0.00

**TOWN OF ELLINGTON
ALL DEPARTMENTS
BUDGET REPORT 2004-2005
For the Twelve Months Ending June 30, 2005**

			(A)			(B)	(A-B)	(C)	(C-B)
	Approved Budget	Trans/ Add'l Appr	Adjusted Approved Budget	Encumb- brance	YTD Expended	YTD/ENC Expended Total	Balance	2004-2005 Budget Est Total	Over/ (Under) Variance
731 - Kidsafe CT	\$2,500.00	\$0.00	\$2,500.00	\$0.00	\$2,500.00	\$2,500.00	\$0.00	\$2,500.00	\$0.00
740 - Hockanum Valley Community Council	18,000.00	0.00	18,000.00	0.00	18,000.00	18,000.00	0.00	18,000.00	0.00
741 - Food Pantry	500.00	0.00	500.00	0.00	318.00	318.00	182.00	1,200.00	(882.00)
744 - ROPE	10,000.00	0.00	10,000.00	0.00	10,873.52	10,873.52	(873.52)	10,000.00	873.52
745 - Youth Activity Programs	21,845.00	0.00	21,845.00	0.00	19,340.10	19,340.10	2,504.90	21,845.00	(2,504.90)
746 - Hartford Interval House	1,500.00	0.00	1,500.00	0.00	1,500.00	1,500.00	0.00	1,500.00	0.00
750 - Human Services	145,079.00	0.00	145,079.00	0.00	144,028.28	144,028.28	1,050.72	146,505.00	(2,476.72)
Grand Total of 710/750	213,853.00	0.00	213,853.00	0.00	208,328.44	208,328.44	5,524.56	215,979.00	(7,650.56)
770 - Health District	45,463.00	0.00	45,463.00	0.00	45,462.84	45,462.84	0.16	45,463.00	(0.16)
780 - Welfare	15,000.00	0.00	15,000.00	0.00	12,264.91	12,264.91	2,735.09	15,000.00	(2,735.09)
790 - Municipal Agent	1,500.00	0.00	1,500.00	0.00	1,263.37	1,263.37	236.63	1,500.00	(236.63)
795 - Senior Center	98,919.00	29,500.00	128,419.00	0.00	146,846.53	146,846.53	(18,427.53)	141,485.00	5,361.53
Total of Human Services Comm-700	374,735.00	29,500.00	404,235.00	0.00	414,166.09	414,166.09	(9,931.09)	419,427.00	(5,260.91)
TOWN PROPERTIES									
0810 - Town Hall	258,550.00	0.00	258,550.00	0.00	287,316.70	287,316.70	(28,766.70)	275,000.00	12,316.70
0820 - Center Cemetery	500.00	0.00	500.00	0.00	500.00	500.00	0.00	500.00	0.00
0830 - Batz Property	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0840 - Arbor Commons	14,800.00	0.00	14,800.00	0.00	10,418.09	10,418.09	4,381.91	14,800.00	(4,381.91)
Total of Town Properties-800	273,850.00	0.00	273,850.00	0.00	298,234.79	298,234.79	(24,384.79)	290,300.00	7,934.79

**TOWN OF ELLINGTON
ALL DEPARTMENTS
BUDGET REPORT 2004-2005
For the Twelve Months Ending June 30, 2005**

			(A)		(B)	(A-B)	(C)	(C-B)	
	Approved Budget	Trans/ Add'tl Appr	Adjusted Approved Budget	Encumb- brance	YTD Expended	YTD/ENC Expended Total	Balance	2004-2005 Budget Est Total	Over/ (Under) Variance
DEBT SERVICE									
910 - Debt Redemption-Principal	\$2,139,872.00	\$0.00	\$2,139,872.00	\$0.00	\$2,139,871.63	\$2,139,871.63	\$0.37	\$2,139,872.00	(\$0.37)
920 - Debt Redemption-Interest	1,109,337.00	0.00	1,109,337.00	0.00	1,071,833.34	1,071,833.34	37,503.66	1,071,837.00	(3.66)
Total of Debt Service-910/920	3,249,209.00	0.00	3,249,209.00	0.00	3,211,704.97	3,211,704.97	37,504.03	3,211,709.00	(4.03)
FIXED CHARGES									
930 - Social Security Tax	248,813.00	0.00	248,813.00	0.00	242,746.29	242,746.29	6,066.71	246,813.00	(4,066.71)
950 - Insurance	1,264,215.00	0.00	1,264,215.00	0.00	1,141,655.33	1,141,655.33	122,559.67	1,155,000.00	(13,344.67)
951 - Insurance Reimbursement	7,500.00	0.00	7,500.00	0.00	25,181.09	25,181.09	(17,681.09)	30,000.00	(4,818.91)
952 - Insurance Prior Year	5,000.00	0.00	5,000.00	0.00	5,866.00	5,866.00	(866.00)	5,000.00	866.00
960 - Service Insurance	56,000.00	0.00	56,000.00	0.00	56,000.00	56,000.00	0.00	56,000.00	0.00
Total of Fixed Charges	1,581,528.00	0.00	1,581,528.00	0.00	1,471,448.71	1,471,448.71	110,079.29	1,492,813.00	(21,364.29)
MISCELLANEOUS									
1010 - Contingency Fund	125,000.00	0.00	125,000.00	0.00	0.00	0.00	125,000.00	125,000.00	(125,000.00)
1011 - Capital Reserve Fund	100.00	0.00	100.00	0.00	0.00	0.00	100.00	100.00	(100.00)
1020 - AD HOC Alcohol/Drug Council	5,500.00	0.00	5,500.00	0.00	5,398.00	5,398.00	102.00	5,500.00	(102.00)
1021 - CADAC-Recreation	2,400.00	0.00	2,400.00	0.00	0.00	0.00	2,400.00	2,400.00	(2,400.00)
1023 - DCYS Grant	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1030 - Memorial Day Committee	1,250.00	0.00	1,250.00	0.00	1,639.57	1,639.57	(389.57)	1,250.00	389.57
1035 - Charter Revision Commission	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1040 - Miscellaneous	100.00	0.00	100.00	0.00	100.00	100.00	0.00	100.00	0.00
1050 - Referendum	10,000.00	0.00	10,000.00	0.00	19,676.75	19,676.75	(9,676.75)	10,000.00	9,676.75
1060 - Building Demolition/Eviction	5,000.00	0.00	5,000.00	0.00	1,848.35	1,848.35	3,151.65	5,000.00	(3,151.65)
1065 - Salary Adjustment	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1070 - Comp Absences-Town	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1075 - Town Communications	7,500.00	0.00	7,500.00	0.00	7,467.68	7,467.68	32.32	7,500.00	(32.32)
1080 - Town Web Site	5,000.00	0.00	5,000.00	0.00	4,937.50	4,937.50	62.50	5,000.00	(62.50)
1085 - Grant Applications	5,000.00	0.00	5,000.00	0.00	2,648.35	2,648.35	2,351.65	10,000.00	(7,351.65)
Total of Miscellaneous	166,850.00	0.00	166,850.00	0.00	43,716.20	43,716.20	123,133.80	171,850.00	(128,133.80)
CAPITAL OUTLAY									
1101- Unimproved Road Improvement	75,000.00	0.00	75,000.00	0.00	56,642.39	56,642.39	18,357.61	75,000.00	(18,357.61)
1102 - Local Capital Improvement Program	101,760.00	0.00	101,760.00	0.00	101,760.00	101,760.00	0.00	101,760.00	0.00
1103 - Road Overlay	200,000.00	0.00	200,000.00	0.00	159,366.34	159,366.34	40,633.66	200,000.00	(40,633.66)
1104 - Townwide Sidewalks	18,000.00	0.00	18,000.00	0.00	18,000.00	18,000.00	0.00	18,000.00	0.00
1105 - Windermere Corridor Reconstruction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1106 - Town Hall Site Acquisition/Development	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1107 - Town Hall Parking Lot Renovations	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1108 - Town Hall Office Renovations-Lower Le	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1109 - Town Hall Annex Renovations	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1110 - Town Hall Annex Furniture	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1111 - Arbor Commons-Police Station/Meeting	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1112 - Arbor Commons-Police Station Furniture	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1113 - Municipal Buildings-Energy Enhancemen	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1114 - Old Crystal Lake Schoolhouse	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1115 - Hall Memorial Library-Repairs-Roof/Drai	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1116 - First Selectman Vehicle	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1117 - Brookside Park Refurbish Basketball Cou	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1118 - Recr-Equipment Parks-Bleachers	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1119 - Recr-Replacement Van	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1120 - Animal Control Officer-Replacement Van	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1121 - DPW-Small Dump Truck-Replacement	35,000.00	0.00	35,000.00	0.00	35,000.00	35,000.00	0.00	35,000.00	0.00
1122 - DPW-Large Dump Truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

TOWN OF ELLINGTON
ALL DEPARTMENTS
BUDGET REPORT 2004-2005
For the Twelve Months Ending June 30, 2005

			(A)			(B)	(A-B)	(C)	(C-B)
	Approved Budget	Trans/ Add'tl Appr	Adjusted Approved Budget	Encumb- brance	YTD Expended	YTD/ENC Expended Total	Balance	2004-2005 Budget Est Total	Over/ (Under) Variance
1123 - Town Hall Basement Vault	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1124 - Recr-Public Park Upgrades	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1125 - Police Cruisers	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1126 - Codification Town Laws & Regs	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1127 - Town Hall Office Renovations	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1128 - DUI Enforcement Vehicle	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1129 - Snipsic Village Renovation Project	0.00	67,000.00	67,000.00	0.00	0.00	0.00	67,000.00	67,000.00	(67,000.00)
1150 - Open Space Fund	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1151 - Municipal Land Trust Fund	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1152 - Revaluation	125,400.00	0.00	125,400.00	0.00	25,421.20	25,421.20	99,978.80	125,400.00	(99,978.80)
1153 - Reindexing of Land Records	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1154 - GASB 34 Implementation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1159 - EVAC-Furnace Replacement	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1160 - EVAC-Replacement Defrib Equipment	0.00	0.00	0.00	0.00	19,972.95	19,972.95	(19,972.95)	21,000.00	(1,027.05)
1161 - EVFD/EVAC-Roof Replacement	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1162 - EVAC-Replacement Ambulance-R643	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1163 - EVAC-Equipment	12,700.00	0.00	12,700.00	0.00	5,042.16	5,042.16	7,657.84	12,700.00	(7,657.84)
1164 - EVAC-Replace Flooring	10,000.00	0.00	10,000.00	0.00	7,981.92	7,981.92	2,018.08	10,000.00	(2,018.08)
1165 - EVFD-Hose Washer	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1166 - EVFD-Radio Equipment Upgrade	10,000.00	0.00	10,000.00	0.00	2,251.40	2,251.40	7,748.60	10,000.00	(7,748.60)
1167 - EVFD-Breathing Apparatus Replmnt/Up	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1168 - ELFD-Fire Apparatus Sink Fund	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1169 - ELFD-Firehouse Engineering Review	10,000.00	0.00	10,000.00	0.00	250.00	250.00	9,750.00	10,000.00	(9,750.00)
1173 - Crystal Lake Fire-Replmnt Ser/Utility Va	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1174 - Crystal Lk F-Breathing Apparatus Replm	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1175 - Crystal Lake Rescue Boat	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1176 - Crystal Lake Renovation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1180 - BOE-Replmt Vans/Spec Ed	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1181 - BOE-Replmt Maintenance Vehicle	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1182 - BOE-EHS Roof Repair-Science Wing	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1183 - BOE-CLS Roof Replacement	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1184 - BOE-CLS Renovations-Wells	35,000.00	0.00	35,000.00	0.00	330.00	330.00	34,670.00	35,000.00	(34,670.00)
1185 - BOE-CLS Renovations	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1186 - BOE-Student Technology Update	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1187 - BOE-Wheelchair Van	40,000.00	0.00	40,000.00	0.00	33,536.54	33,536.54	6,463.46	40,000.00	(6,463.46)
1188 - BOE-CLS Architectual Study	15,000.00	0.00	15,000.00	0.00	0.00	0.00	15,000.00	15,000.00	(15,000.00)
1189 - BOE-HS Drainage/Electrical Work	65,000.00	0.00	65,000.00	0.00	32,133.99	32,133.99	32,866.01	65,000.00	(32,866.01)
Total of Capital Outlay	752,860.00	67,000.00	819,860.00	0.00	497,688.89	497,688.89	322,171.11	840,860.00	(343,171.11)
BOARD OF EDUCATION	23,173,103.00	0.00	23,173,103.00	0.00	23,098,060.82	23,098,060.82	75,042.18	23,098,103.00	(42.18)
Total of Board of Education	23,173,103.00	0.00	23,173,103.00	0.00	23,098,060.82	23,098,060.82	75,042.18	23,098,103.00	(42.18)
BUDGET GRAND TOTAL	35,581,483.00	110,500.00	35,691,983.00	0.00	35,064,524.89	35,064,524.89	627,458.11	35,771,984.00	(707,459.11)

b

V-J

AGREEMENT TO SELL AND PURCHASE REAL ESTATE

THIS AGREEMENT made and concluded this 25th day of August, 2005, by and between **The Town of Ellington**, a municipal corporation having its territorial limits within the County of Tolland and State of Connecticut, hereinafter called the "BUYER", and **Mary P. Roche** of 80 Maple Street Ellington, CT, hereinafter called the "SELLER".

WITNESSETH:

Buyer hereby agrees to buy and Seller hereby agrees to sell that certain piece or parcel of land thereon, known as 80 Maple Street, Ellington, which is shown on the Town Tax Assessors Map as Parcel #072-021-0000 under the following terms and conditions:

1. **PURCHASE PRICE** \$ 242,500.

DEPOSIT \$ 1,000.
(To be held in escrow by D.W. Fish)

BALANCE to be paid in cash or by certified
or bank check on the date of the
transfer of title. \$ 241,500.
2. **CONVEYANCE AND ENCUMBRANCES:** The transfer of title to the property to the Buyer shall be by Connecticut form Warranty Deed, conveying marketable title, free and clear of all encumbrances. Buyer's attorney will prepare the warranty deed and conveyance tax form. Buyer will assume responsibility for any conveyance taxes or recording fees. Seller shall deliver a standard Owner's title affidavit concerning mechanic's liens, no easements or restrictions not of record, no parties in possession and reveal any surveys in Seller's possession, and an Environmental Affidavit affirming that there are no environmental hazards or spills on the property to the best of Seller's knowledge.
3. **CONTINGENCIES.** This purchase contract is contingent upon the Buyer obtaining approval to purchase the property by all required Boards and Commissions of the Town of Ellington including but not limited to the Board of Selectmen and a report from Planning and Zoning Commission. If Buyer is unable to obtain such approval on or before October 31, 2005, then Buyer will inform the Seller and this contract will be void, and the deposit will be returned to the Buyer.
4. **CLOSING, POSSESSION & OCCUPANCY.** The transfer of title and occupancy shall take place on or before November 15, 2005 at the office of Courtney, Boyan & Foran, LLC. 62 Hyde Avenue, Vernon, CT or such other location to which the parties may agree and Seller shall deliver possession and occupancy of the property to the Buyer.
5. **TESTS, INSPECTIONS & SURVEYS.** Buyer shall pay for the appraisal of the property any and all tests and inspections of the property desired by it and Seller shall not interfere with any and all reasonable tests and inspections of the property. Seller shall not fix or be required to correct any defective conditions discovered by said tests and inspections. Seller shall grant the Buyer, its agents or assigns, reasonable access to inspect the property prior to the closing. If inspections reveals that the Property has any defective conditions which are unacceptable to the Buyer, then the Buyer may rescind this contract by giving the Seller notice on or before October 31, 2005, of its intent to rescind and the deposit will then be returned to the Buyer.

6. *REAL ESTATE AGENT.* The parties agree that the only real estate agency involved with this transaction is D.W. Fish and it's commission shall be paid in full by the Seller at the time of closing.

7. *ADJUSTMENTS.* All adjustments for taxes, interest, and all other adjustments as are normally and customarily made for similar properties shall be computed and paid as of the date of the transfer of title as hereinbefore set forth in accordance with the custom of the Bar Association for the county or town wherein the property is situated.

8. *DEFAULT.* If Buyer defaults in the performance of any term of this agreement, Seller shall be entitled to cancel this contract, and retain the deposit as liquidated damages, and Seller shall be relieved of any further liability under this agreement. If Seller defaults, Buyer shall be entitled to specific performance upon tender of the purchase price.

9. This agreement shall be binding upon and inure to the benefit of the legal representatives, successors, heirs and assigns of Seller and Buyer.

10. All of the terms and conditions of this agreement between the parties hereto are stated herein and no representations or inducements have been made to the Buyer by the Seller other than those set forth herein.

IN WITNESS WHEREOF, we have hereunto set our hands and seals, and to a duplicate instrument of the same tenor as at the dates set forth next to the signatures affixed hereto.

Signed, sealed and delivered in the presence of:

SELLER

Mary P. Roche

BUYER
TOWN OF ELLINGTON

DENNIS C. MILANOVICH
FIRST SELECTMAN

V-K

AGREEMENT TO SELL AND PURCHASE REAL ESTATE

THIS AGREEMENT made and concluded this 31st day of August, 2005 by and between **The Town of Ellington**, a municipal corporation having its territorial limits within the County of Tolland and State of Connecticut, hereinafter called the "BUYER", and **MANEERAT R. SMITH** of the Town of East Windsor, County of Hartford and State of Connecticut hereinafter called the "SELLER".

WITNESSETH:

Buyer hereby agrees to buy and Seller hereby agrees to sell that certain piece or parcel of land thereon, consisting of approximately 3.16 acres of land located off of Porter Road in the Town of Ellington, County of Tolland and State of Connecticut, more particularly bound and described on Exhibit A Attached under the following terms and conditions:

1. **PURCHASE PRICE** \$ 45,000.
DEPOSIT \$ 2000.
(To be held in escrow by the
D. W. Fish Real Estate Agency)
BALANCE to be paid in cash or by certified
or bank check on the date of the
transfer of title. \$ 43,000.
2. **CONVEYANCE AND ENCUMBRANCES:** The transfer of title to the property to the Buyer shall be by Connecticut form Warranty Deed, conveying marketable title, free and clear of all encumbrances. Seller shall sign a standard Owner's title affidavit concerning mechanic's liens, no easements or restrictions not of record, no parties in possession and reveal any surveys in Seller's possession, and an Environmental Affidavit affirming that there are no environmental hazards or spills on the property to the best of Seller's knowledge.
3. **CONTINGENCIES.** This purchase contract is contingent upon the following conditions:
 - a. Buyer obtaining approval to purchase the property by all required Boards and Commissions of the Town of Ellington including but not limited to the Board of Selectmen and a report from Planning and Zoning Commission. If Buyer is unable to obtain such approval on or before October 31, 2005 then Buyer will inform the Seller and this contract will be void, and the deposit will be returned to the Buyer.
4. **CLOSING, POSSESSION & OCCUPANCY.** The transfer of title and occupancy shall take place on or before November 30, 2005 at the office of Courtney, Boyan & Foran, LLC. 62 Hyde Avenue, Vernon, CT or such other location to which the parties may agree at which time the Seller shall deliver possession and occupancy of the property to the Buyer.
5. **TESTS, INSPECTIONS & SURVEYS.** Buyer shall pay for the appraisal of the property any and all tests and inspections of the property desired by it and Seller shall not interfere with any and all reasonable tests and inspections of the property. Seller shall not fix or be required to correct any defective conditions discovered by said tests and

inspections. SELLER shall grant the Buyer, its agents or assigns, reasonable access to inspect the property prior to the closing.

6. **ADJUSTMENTS.** All adjustments for taxes, interest, and all other adjustments as are normally and customarily made for similar properties shall be computed and paid as of the date of the transfer of title as hereinbefore set forth in accordance with the custom of the Bar Association for the county or town wherein the property is situated.

7. **DEFAULT.** If Buyer defaults in the performance of any term of this agreement, Seller shall be entitled to cancel this contract, and retain the deposit as liquidated damages and Seller shall be relieved of any further liability under this agreement. If Seller defaults, Buyer shall be entitled to specific performance upon tender of the purchase price.

8. This agreement shall be binding upon and inure to the benefit of the legal representatives, successors, heirs and assigns of Seller and Buyer.

9. All of the terms and conditions of this agreement between the parties hereto are stated herein and no representations or inducements have been made to the Buyer by the Seller other than those set forth herein.

IN WITNESS WHEREOF, we have hereunto set our hands and seals, and to a duplicate instrument of the same tenor as at the dates set forth next to the signatures affixed hereto.

Signed, sealed and delivered in the presence of:

SELLER

 8-31-05
MANEERAT R. SMITH

BUYER
TOWN OF ELLINGTON

QUIT-CLAIM DEED

KNOW YE, THAT, It, PIONEER BUILDERS OF ELLINGTON, INC., a Connecticut corporation with its principal place of business in the Town of Ellington, County of Tolland and State of Connecticut (hereinafter "Releasor") for One Dollar (\$1.00) and other valuable consideration received to its full satisfaction of the TOWN OF ELLINGTON a municipal corporation with its territorial limits within the State of Connecticut (hereinafter "Releasee") does remise, release and forever QUIT-CLAIM unto the said Releasee, and unto its successors and assigns forever, all such right and title as it the said Releasor has or ought to have in or to the portion of Abbott Road shown on a map entitled "SHEET 4/8 PROPERTY RESURVEY PREPARED FOR: RAYMOND P. ZIMMERMAN ABBOTT ROAD ELLINGTON CONNECTICUT TOPOGRAPHIC PLAN DESIGN: KMI DRAWN: MHA CHECKED: GBS JOB NO.: 1384 DATE: 11-12-01 DRAWING NO.: 1384\1384-4D.DWG 860 • 291 • 8755 design professionals, inc. Civil Engineers • Planners • Surveyors • GIS 165 south satellite road • south windsor • connecticut 06074 1 inch = 40 ft." with a last revision date of 11-4-04, which map is to be filed in the Land Records of the Town of Ellington.

To Have and To Hold the premises unto the said Releasee and unto its successors and assigns forever, to it and its own proper use so that neither said Releasor, nor any person or person in its name and behalf, shall or will hereafter claim or demand any right or title to the premises or any part hereto, but they and every one of them shall by these presents be excluded and forever barred.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand and seal by Thomas Savage, its President, this 10th day of March, 2005.

Signed, Sealed and Delivered
In presence of:

PIONEER BUILDERS OF ELLINGTON, INC.

Cinda L. Savage
Cinda L. Savage

By Thomas Savage
Thomas Savage
Its President, duly authorized

Todd W. Whitford
Todd W. Whitford

STATE OF CONNECTICUT)

) ss. Hartford

COUNTY OF HARTFORD)

On this the 10th day of March, 2005, before me, the undersigned officer, personally appeared Thomas Savage, Signer and Sealer of the foregoing Instrument, who acknowledged that he was President of Pioneer Builders of Ellington, Inc., and he acknowledged the signing of this document to be his free act and deed and the free act and deed of said Pioneer Builders of Ellington, Inc., before me.

In Witness Whereof, I hereunto set my hand and official seal.

Todd W. Whitford
Todd W. Whitford
Commissioner of the Superior Court

WARRANTY DEED - STATUTORY FORM

TO ALL PEOPLE TO WHOM THESE PRESENTS SHALL COME, GREETING:

Know Ye, That It, **PIONEER BUILDERS OF ELLINGTON, INC.**, a Connecticut corporation with its principal place of business in the Town of Ellington, County of Tolland and State of Connecticut, in consideration of the granting by the Town of Ellington Planning and Zoning Commission for approval of a six lot subdivision located off of Abbott Road in the Town of Ellington does hereby grant, bargain, sell and convey to the **TOWN OF ELLINGTON**, a municipality having its territorial limits within the County of Tolland and State of Connecticut, its successors and assigns forever, with **WARRANTY COVENANTS** the parcels of land located in the Town of Ellington, County of Tolland and State of Connecticut designated as "ZIMMERMAN WAY" as shown on a map entitled "SHEET 3A/8 RESURVEY PREPARED FOR: RAYMOND P. ZIMMERMAN ABBOTT ROAD ELLINGTON CONNECTICUT PROPERTY SURVEY SUBDIVISION PLAN DESIGN: KMI DRAWN: MHA CHECKED: GBS JOB NO.: 1384 DATE: 11-13-01 DRAWING NO.: 1384\1384-3D.DWG 860 - 291 - 8755 design professionals, inc. Civil Engineers • Planners • Surveyors • GIS 165 south satellite road • south windsor • connecticut 06074 1 inch = 40 ft." with a last revision date of 11-4-04, which map is to be filed in the Land Records of the Town of Ellington.

Said premises are subject to building lines, grading rights, and notes all as shown on said subdivision map.

Said premises are also subject to any and all provisions of any ordinance, municipal regulations or public or private law and to all Town zoning and building ordinances of the Town of Ellington.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand and seal by Thomas Savage, its President, this 14th day of ~~January~~ March, 2005.

Signed, Sealed and Delivered
In presence of:

Linda Engler
[Signature]

PIONEER BUILDERS OF ELLINGTON, INC.

By [Signature]
Thomas Savage
Its President, duly authorized

STATE OF CONNECTICUT)

COUNTY OF Hartford)

ss. Hartford

On this the 14th day of ~~January~~ March, 2005, before me, the undersigned officer, personally appeared THOMAS SAVAGE, Signer and Sealer of the foregoing Instrument, who acknowledged that he was President of Pioneer Builders of Ellington, Inc., and he acknowledged the signing of this document to be his free act and deed and the free act and deed of said Pioneer Builders of Ellington, Inc., before me.

In Witness Whereof, I hereunto set my hand and official seal.

[Signature]
[Signature]
Commissioner of the Superior Court
Notary Public

My comm Exp 5/31/08

